

## Role of Government to harness TK

### TK in India

India is a diverse country in all senses. It is counted among the 'mega diverse' countries under the CBD due to its innumerable genetic resources (GRs) and associated TK. With advancements in technology around the world, GRs and associated TK are vulnerable to bio- piracy and similar threats. With a view to protecting biodiversity, the Biodiversity Act was enacted in 2002.

The act governs conservation and use of bio- resources (BRs) and associated knowledge for commercial and research purposes as well as for bio-survey and bio-utilization.

To implement the act, the National Biodiversity Authority (NBA), an autonomous body that performs facilitative, advisory and regulatory functions for the government of India, was established in 2003.

The NBA has supported the creation of State Biodiversity Boards (SBBs) in 28 states and over 32,000

Biodiversity Management Committees (BMCs).

Under the act, Indians and Indian institutions (excluding non-resident Indians) do not need the authorization of the NBA to conduct research or work; however, they need to inform the relevant SBB of the activity.

International institutions need the authorization of the NBA. The NBA gives approval after consultation with the relevant SBB and after establishing mutually- agreed terms for sharing the benefits. India has a rich history of traditional medicinal practices that date back to thousands of years. These techniques and components have come into the light during recent times mainly due to the interest shown by multinationals to exploit the knowledge and benefit from the profits. In order to protect the knowledge from being patented, the government has indeed been striving hard.

Steps taken by GOI to protect traditional knowledge from patent

Traditional Knowledge Digital Library

The government has established a digital library, which contains all the information about traditional medicine, the methods and techniques. This acts as a repository of all existing traditional methods and plays an important role in proving authenticity.

This library has prevented thousands of patents from being filed internationally and it also gives access to various patent agencies of the world so that they can cross check the genuineness of the patent.

Direct funding

The government has stopped funding states and other agencies for carrying out research in traditional knowledge. It has instead made CSIR the sole responsible institution to carry out such research. The funding is directly provided to CSIR. This will prevent research from being leaked to private pharma companies.

UNESCO intangible cultural heritage The government has been successful in obtaining UNESCO recognition to traditional medicinal knowledge such as Ayurveda, Yoga, Sowa Rigpa, Unani etc. This has allowed India to establish link with the country of origin and prevent patenting by multinational pharma companies.

Strengthening IPR

IPR laws in India have been upgraded to include all type of property rights. The new form will have provisions for protecting traditional knowledge of cultural groups. The main aim will be to protect economic interests of such groups from being exploited by third party.

Way ahead A uniform global law must be framed that will prevent such malpractices from taking place. This can help in saving traditional knowledge from extinction.

Thus, the steps taken by the government are indeed successful in preventing misuse by multinational companies. Protecting this knowledge is beneficial on economic as well as cultural front. It keeps the culture and traditions intact.